

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

JANE DOE,

Plaintiff,

v.

**THE RECTOR AND VISITORS OF
THE UNIVERSITY OF VIRGINIA,**

Defendant.

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Case No. 3:23-cv-00018-RSB

**DEFENDANT’S MOTION TO EXTEND DEADLINE TO FILE REPLY BRIEF IN
SUPPORT OF MOTION TO EXCLUDE EXPERT WITNESS ANDREW C. VERZILLI**

Defendant the Rector and Visitors of the University of Virginia (“UVA”), by counsel and pursuant to Local Civil Rule 11, respectfully moves this Court for permission to file its reply brief in support of its Motion to Exclude Expert Witness Andrew C. Verzilli (ECF No. 68).

UVA seeks a one-week extension to file its reply brief in support of its Motion to Exclude Expert Witness Andrew C. Verzilli, which is currently due on October 23, 2024. Good cause exists to grant this extension because UVA’s counsel needs time to finish its reply in support of its Motion for Summary Judgment (ECF No. 66) due on October 23, 2024 and to prepare for the hearing on the motion for summary judgment on October 24, 2024. Plaintiff does not oppose this motion.

MEMORANDUM IN SUPPORT

1. On September 25, 2024, in compliance with this Court’s scheduling order, Defendant filed its Motion to Exclude Expert Witness Andrew C. Verzilli and a supporting memorandum (ECF No. 69). On October 16, 2024, Plaintiff filed a Brief in Opposition to

Defendant's Motion to Exclude Plaintiff's Expert Andrew C. Verzilli after this Court granted her a one-week extension. ECF Nos. 82, 89.

2. Pursuant to Local Civil Rule 11, UVA's reply briefs in support of both its Motion for Summary Judgement (ECF No. 66) and Motion to Exclude Expert Witness Andrew C. Verzilli are both due on October 23, 2024.

3. The hearing on UVA's Motion for Summary Judgment is scheduled for October 24, 2024. ECF No. 84.

4. UVA requests an additional week to complete and file its reply brief in support of its Motion to Exclude Plaintiff's Expert Andrew C. Verzilli so that its brief would be due on October 30, 2024.

5. Good cause exists to grant this request for an extension.

6. UVA's counsel needs time to finish its reply in support of its Motion for Summary Judgment (ECF No. 66) due on October 23, 2024 and to prepare for the hearing on the motion for summary judgment on October 24, 2024. UVA's counsel will be significantly challenged to file adequate reply briefs in support of both motions by October 23, 2024, and have time to appropriately prepare for the hearing the following day.

7. UVA's counsel are also responsible for numerous other legal matters that require their attention between the filing of this motion and October 23, 2024.

8. This extension, if granted, would not conflict with the Court's scheduling order. Counsel for the parties are currently considering dates for a hearing on UVA's Motion to Exclude Plaintiff's Expert Andrew C. Verzilli some time after October 30, 2024.

9. Plaintiff does not oppose the granting of this motion.

WHEREFORE, Defendant the Rector and Visitors of the University of Virginia respectfully requests that this Honorable Court grant this motion and enter an order granting it an extension until October 30, 2024 to file a reply brief in support of its Motion to Exclude Expert Witness Andrew C. Verzilli (ECF No. 68).

Respectfully submitted,

**THE RECTOR AND VISITORS OF THE
UNIVERSITY OF VIRGINIA**

By Counsel: /s/ Christopher P. Bernhardt

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CERTIFICATE

I hereby certify that on October 21, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

/s/ Christopher P. Bernhardt
Christopher P. Bernhardt* (VSB No. 80133)
Assistant Attorney General